

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cr. No. 05-20230-JPM
)	
ODIE SMITH,)	
)	
Defendant.)	
)	

ORDER GRANTING DEFENDANT'S SECOND MOTION TO UNSEAL JURY NOTE

This cause is before the Court on the motion of appellate counsel for the Defendant to unseal a note received from the jury after the jury verdict in the case.

Because the note received from the jury could arguably be relevant to determination of issues on appeal in the case, and because failure to unseal the note may result in an incorrect impression as to the content of the note, the Court, in the interest of justice, agrees with counsel for the Defendant that the note should be unsealed.

SO ORDERED this 7th day of May, 2007.

s/ JON PHIPPS McCALLA
UNITED STATES DISTRICT JUDGE